

PLANNING COMMISSION

December 9, 2015

Action Report

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Yob, Abelite, O'Halloran, Pham, and Yesney

ABSENT: Commissioners Ballard (arrived at 6:44 pm), Bit-Badal

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

- a. **CP15-058 (Administrative Hearing).** Conditional Use Permit to allow late-night operation of a public eating establishment and use of an outdoor patio within 150 feet of a residence on a 0.24 gross acre site in the CN Commercial Neighborhood Zoning District located on east side of South 10th Street, approximately 120 feet south of E. San Carlos Street (330 South 10th Street). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities.

PROJECT MANAGER, ROSCOE MATA

- 1. DEFERRED TO THE 1/13/16 PLANNING COMMISSION MEETING PER STAFF REQUEST (5-0-2, BALLARD & BIT-BADAL ABSENT)**

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://www.sanjoseca.gov/planning/hearings/>

3. CONSENT CALENDAR

- a. [PDC14-056](#). Planned Development Rezoning from the CP Commercial Pedestrian and CG Commercial General Zoning Districts to the CP(PD) Planned Development Zoning District, to allow a 4-story building with 10,511 square feet of commercial uses and 82,036 square feet of mini-storage on a 1.17 gross acre site, located at the east side of S. Winchester Boulevard, approximately 180 feet north of Magliocco Drive (780 S. Winchester Boulevard) (Dan Hudson, Owner). Council District 1. CEQA: Mitigated Negative Declaration.

PROJECT MANAGER, JOHN TU

1. **RECOMMENDED THE CONSIDERATION AND ADOPTION TO CITY COUNCIL OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (5-0-2, BALLARD & BIT-BADAL ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING ORDINANCE WITH AN UPDATE TO THE FOLLOWING REVISED DEVELOPMENT STANDARDS (5-0-2, BALLARD & BIT-BADAL ABSENT):**
 - **THE BUILDING SHALL STEP DOWN IN HEIGHT TO A MAXIMUM OF 50 FEET AT THE REAR PROPERTY LINE**
 - **THE SITE DESIGN SHALL BE CONSISTENT WITH THE COMMERCIAL DESIGN GUIDELINES**
 - **A LANDSCAPE BUFFER SHALL BE PROVIDED AT THE REAR PROPERTY LINE TO BUFFER DEVELOPMENT FROM THE EXISTING RESIDENTIAL USES**
 - **WINDOWS/GLAZING SHALL BE AS TRANSPARENT AS POSSIBLE. WINDOW MAY NOT EXCEED THE EXTENT WHERE A FACE IS NOT RECOGNIZABLE AT 20 FEET INSIDE THE BUILDING**

- b. [PDC14-064](#). Planned Development Zoning to rezone an approximately 0.43 acre site from CG Commercial General to R-M(PD) Planned Development Zoning District to allow up to 12 residential units and 1,403 square feet of commercial space located at the southeast corner of North 4th Street and Julian Street (298 North 4th Street) (Green Valley Corporation, Owner). Council District 3. CEQA: Mitigated Negative Declaration.

PROJECT MANAGER, EMILY LIPOMA

1. **RECOMMENDED THE CONSIDERATION AND ADOPTION TO CITY COUNCIL OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (5-0-2, BALLARD & BIT-BADAL ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING ORDINANCE (5-0-2, BALLARD & BIT-BADAL ABSENT)**

4. PUBLIC HEARING

- a. [TR15-353 \(Administrative Hearing\)](#). APPEAL of a Live Tree Removal Permit to remove one Camphor tree, 129 inches in circumference, on a 2.23 gross acre site in the R-MH Mobilehome Park Zoning District, located at 2600 Senter Road (Brandenburg Staedler & Moore, Owner). Council District 7. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities. *PROJECT MANAGER, REBECCA BUSTOS*
1. **MOTION TO UPHOLD THE PLANNING DIRECTOR'S DECISION AND APPROVE THE LIVE TREE REMOVAL PERMIT (3-3-1, BALLARD, O'HALLORAN, YESNEY OPPOSED; BIT-BADAL ABSENT)- MOTION FAILED**
 2. **MOTION TO CONTINUE ITEM TO 1/13/16 PLANNING COMMISSION MEETING. (6-0-1, BIT-BADAL ABSENT)**

5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

6. GOOD AND WELFARE

- a. Report from City Council
- City Council accepted the Envision San Jose 2040 General Plan Amendment Performance Review Report. City Council tentatively approved eight General Plan Text Amendments/General Plan Amendments. City Council tentatively approved rezonings, including a rezoning for a Rocketship School on Senter Road near East Capitol Expressway and Cannery Park in Japantown. City Council approved two conditional use permits, but denied one for the off sale of alcohol at Minnesota Market.*
- b. Review and Approve Synopsis from [12-02-15](#)
- Synopsis Approved (6-0-1, Bit-Badal Absent)*
- c. Subcommittee Formation, Reports, and Outstanding Business
- No Reports*
- d. Commission Calendar and Study Sessions
1. Addition of General Plan Amendment Hearing Dates to Commission Meeting Schedule
- Recommendation:** Authorize the addition of January 13, 2016 and January 27, 2016 hearing dates to the Commission meeting schedule for the Winter General Plan Amendment Hearing Cycle
- Approved (6-0-1, Bit-Badal Absent)*
- e. [The Public Record](#)
- No Items*

ADJOURNMENT